

Serial No.: 10/035,546
Attorney Docket No.: F-426

Patent

REMARKS

Claims 1-15 were currently pending in the Application. Applicants have amended claims 1 and 13. Applicants respectfully request entry of the above amendments and consideration of the enclosed remarks. Applicants submit that no new matter is added. The Amendments are submitted solely to place the present application in condition for allowance or in better condition for appeal.

Claim Rejections

On page 2 of the Office Action, the Examiner rejected claims 1-15 under 35 U.S.C. section 112, first paragraph, as allegedly failing to comply with the written description requirement.

Applicants respectfully traverse the rejection. However, solely to expedite prosecution, Applicants have amended claims 1 and 13 as suggested by the Examiner to overcome the rejection. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection.

On page 3 of the Office Action, the Examiner rejected claims 1-3 under 35 U.S.C. section 102(e) as allegedly anticipated by either U.S. Patent Application Publication No. US 2002/0124664A1 by Call, et al. or U.S. Patent Application Publication No. US 2003/0058099A1 by Lopez, et al.

Initially, the Examiner relies on the filing date of a related provisional patent application and continuation-in-part application in the Call '664 reference, yet does not provide a copy of the earlier reference to support entitlement to the earlier filing date for the material cited. Accordingly, the reference is not available as prior art.

In response, Applicants traverse the rejection. However, solely to expedite prosecution, Applicants have amended claim 1 to recite "the sanitizer module acts as a buffer allowing the mailpieces to deskew onto the transport belt."

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Claims 2-3 depend directly or indirectly from claim 1 and are patentable for at least the same reasons as claim 1. Applicant respectfully submits that present claims 1-3 are patentable over the cited prior art. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection.

On page 3 of the Office Action, the Examiner rejected claims 4-15 under 35 U.S.C. section 103(a) as allegedly rendered obvious by either U.S. Patent Application Publication No. US 2002/0124664A1 by Call, et al. or U.S. Patent Application Publication No. US 2003/0058099A1 by Lopez, et al in further view of U.S. Patent No. 6,191,424 to Stirling, et al.

In response, Applicants respectfully traverse the rejection. However, solely to expedite prosecution, Applicants have amended claims 1 and 13 to recite "the sanitizer module acts as a buffer allowing the mailpieces to deskew onto the transport belt."

Initially, Applicants submit that one of ordinary skill in the art would not look to Stirling '424 to modify Call '664 or Lopez '099 for a deskewing function when Stirling '424 is not concerned with singulating mail pieces that may then be skewed.

More importantly, Applicants respectfully submit that Stirling '424 does not intrinsically perform a deskew function as the Examiner suggests. For example, in Sterling '424 at col. 5, lines 17-29, the containers are integral to the conveyor system and are locked into a track and thus can never be skewed inside that track.

Claims 4-12 and 13-15 depend directly or indirectly from either claim 1 or 13 and are patentable for at least the same reasons as claim 1 or 13. Applicant respectfully submits that present claims 4-15 are patentable over the cited prior art. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection.

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CONCLUSION OF REMARKS

For at least the reasons stated above, it is respectfully submitted that the remaining claims of this application are in condition for allowance and early and favorable action thereon is requested.


If the Examiner believes that additional issues may be resolved by a telephone interview, the Examiner is respectfully urged to telephone the undersigned attorney for Applicant at (203) 924-3180.

AUTHORIZATION

No fee is believed due with this response. However, the Commissioner is hereby authorized to charge any additional fees which may be required for the response or credit any overpayment to the Pitney Bowes, Inc. Deposit Account Number 16-1885, Order No. F-426.

In the event that an extension of time or additional extension of time is required to make this response timely filed, the Commissioner is requested to grant a petition for that extension of time that is required to make this response timely. The Commissioner is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the Pitney Bowes, Inc. Deposit Account Number 16-1885, Order No. F-426.

Respectfully submitted,



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